

IN SENATE OF THE UNITED STATES.

DECEMBER 21, 1847.

Submitted, and ordered to be printed.

Mr. BALDWIN made the following

REPORT:

[To accompany bill S. No. 21.]

*The Committee of Claims, to whom was referred the "petition of Robert Purkis, praying remuneration for recapturing a merchant vessel during the last war," have had the same under consideration, and, after full examination, adopt the report made thereon at the 2d session of the 29th Congress, herewith filed:*

*They recommend the passage of the accompanying bill.*

IN SENATE OF THE UNITED STATES, January 14, 1847.

*Mr. JOHNSON, of Maryland, from the Committee of Claims, to whom was referred the "petition of Robert Purkis, praying remuneration for recapturing a merchant vessel during the late war," and a bill "authorizing the payment of a sum of money to Robert Purkis," have had the same under consideration, and present the following report:*

The plain and unpretending narrative of the petitioner in this case presents a well-attested account of an act of gallantry which cannot fail to arouse feelings of pride and admiration in the breast of every American. According to this statement, the claimant was a seaman on board of the "Little Sarah," a coasting vessel belonging to the State of Connecticut, which was captured by a British tender off our coast during the late war. After having taken possession of the prize, the British officer in command left on board a crew of four men, taking with him all of the American sailors, with the exception of the claimant, with orders to proceed to Halifax. Soon afterwards the weather became boisterous, and three of the Englishmen went down into the cabin to secure the dead lights. Seizing this opportunity, it being night time, the petitioner closed the slide of the companion way, so as to prevent

those below from coming on deck. On seeing him do this, the fourth, who was at the helm, struck the claimant with a sweep, but being unable to strike a second blow, owing to the weight of the instrument, threw it away and seized him. A contest ensued, in which, after a very violent struggle, the two fell together upon the deck, and it was not until he had received several severe injuries, that the American succeeded in securing his antagonist. During the fight the Englishman called upon his comrades for help, but they were prevented from affording assistance by the fastenings of the slide, and the declarations of the claimant that if they interfered he would blow out their brains. Having bound his enemy and put the sails in some sort of trim, the petitioner steered for the coast, intending to run the vessel on shore; but, finding no ships of the enemy to intercept him, he stood for Fort Adams, where he was boarded by a guard boat. In standing for the shore he saw several vessels coming out of Newport; but so soon as they perceived the "Little Sarah," they put back again, taking her for a decoy vessel sent by the enemy. His arrival and appearance, covered with blood, excited great astonishment on the part of his countrymen, and their wonder was increased on learning that an unarmed American had captured a vessel and four British sailors, who were provided with several cutlasses and other means of defence. In answer to his prisoners, who said that he must have been well armed, the petitioner showed a hammer, the handle of which he had pointed at them as a pistol, and the claws of which he had applied several times to the head of the man on deck, before he would surrender. This hammer was in fact, as appears, his only weapon, offensive or defensive.

The captive sailors were afterwards landed and placed at the disposal of the commanding officer, and were subsequently regularly exchanged for an equal number of American citizens, who were thus restored to their country and friends.

At the time of this gallant exploit the claimant was young and strong, and, with the feeling of independence that so often accompanies true courage, declined to ask remuneration for the service he had rendered. Had he been employed on board of a *private armed vessel*, the law would have entitled him to one hundred dollars for each of the prisoners; and had he applied to Congress, he would in all probability have received a similar reward; but he disdained to have recourse to the exhausted treasury of his country while he had the strength to take care of himself. To be conscious of having done his duty, was to him the highest reward he could receive, and he would not stoop to ask for any other.

Time has now brought with it old age and poverty, and he is constrained, by stern necessity, to appeal to the justice of the national councils for a remuneration, which, although small in amount, may serve to support and gladden his latter days.

In view of the peculiar circumstances of this interesting case, your committee have agreed unanimously to report in favor of the petitioner, whose gallant bearing forms a bright example for the imitation of his countrymen. Nor do they act in the premises

without the sanction of precedent, as will appear on reference to the case of James Levins, of South Carolina, a copy of whose petition is hereto annexed. It is seldom, indeed, that two such instances of intrepidity occur, and it is just and proper, in the opinion of the committee, that in each there should be conferred a like reward. A bill in favor of Levins was passed, and approved April 27, 1816.

Your committee are unwilling to conclude this report without expressing, in the strongest terms, their admiration of the bravery and self-possession displayed by the petitioner. Such instances are rare, and have a most happy influence in elevating our national character, and creating praiseworthy emulation among our countrymen. It is to our commercial marine that we must look for materials to man our armed ships in time of war; and the more we can exalt the standard of national feeling among those "whose home is on the deep," the better do we provide for the preservation of our rights upon the ocean. The committee report unanimously the bill, with the accompanying amendment.

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*To the honorable Speaker and members of the House of Representatives of the United States:*

The humble memorial of James Levins, a citizen of South Carolina, sheweth:

That your memorialist was captain of a little coasting schooner, called the Santee, which was taken during the late war by the English ship Lacedemonian; that he alone, of the original crew, remained on board his vessel, the command of which was given to a midshipman and four seamen of the navy of Great Britain.

That your memorialist, unable to endure, even in perspective, the idea of being immured in prison, at a distance from his family, which relied on him for support, conceived the rash enterprise of recapturing his vessel, which he accomplished within sight of the frigate, after a violent struggle, in which two of his opponents were wounded, and the whole were overcome.

That your memorialist compelled them to tie each other successively, releasing one or two of them occasionally, whom he forced reluctantly to assist him in the navigation of his vessel.

That after two days of great embarrassment and difficulty, of constant watchfulness and alarm, your memorialist fortunately arrived at Charleston, where he landed his five prisoners, and delivered them to the government of his country; that having procured the requisite certificates, he applied, by letter, to General Mason, agent of the United States, for the premium of one hundred dollars for each prisoner, to which he was informed that he was entitled; but was instructed by that gentleman that his case was not embraced in the existing law, (which relates to armed vessels only,) and that he must owe any remuneration he may receive to the liberality of Congress.

It is true that the vessel of your memorialist was neither armed by the public nor by individuals; that his name and his pursuits are equally humble and obscure; and that his sole object was to traverse in silence and in safety the crooked rivers of the south. It is also true that he never aspired to the honor of a commission; and yet, by an untoward accident, your memorialist was placed in so unpleasant a situation as to deem himself compelled, without adequate means, and almost without hope, to attack a force five times superior to his own; and if Providence, that so often defeats human calculations, was pleased to crown him with success, and to enable him, in his own rescue, to annoy the enemies of his country, it is hoped that his merits, if he have any, will not be the less appreciated by your honorable body, because he was not stimulated by the love of glory, nor trained in the arts, nor provided with the implements of war; for these, it is obvious, might have imposed the duty of resistance, and certainly would have increased the facilities of conquest.

Your memorialist, therefore, humbly conceives that the omission of the legislature to embrace his case in the existing laws was purely accidental, arising from the improbability of its ever occurring, (and by no man was the result more unexpected than by your memorialist,) and not from any desire to discriminate between the means by which the same end is produced, rewarding them inversely.

Your memorialist humbly relies on the liberal and enlightened and patriotic disposition of your honorable body, and prays that this vessel may be considered as an armed vessel *pro hac vice*, and that he may receive the compensation to which, in that case, he would have been entitled, for vanquishing, taking, and bringing into the United States, as prisoners of war, one midshipman and four seamen of the navy of Great Britain; and your memorialist will ever pray, &c.

JAMES LEVINS.